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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BARINDER GILL, individually and on behalf
of all others similarly situated,

Plaintiff,

v.

314e CORPORATION,

Defendant.

Case No. 3:17-cv-01062

**~~PROPOSED~~ ORDER GRANTING
FINAL APPROVAL OF CLASS ACTION
SETTLEMENT**

The Court has before it the Joint Motion for Final Approval of a Class Action Settlement (“Class Settlement”) filed by Plaintiff Barinder Gill (“Plaintiff”) and Defendant 314e Corporation (“Defendant”), which was heard on July 12, 2018. After reviewing the Motion for

1 Final Approval and the Settlement Agreement (“Class Settlement”), the Court hereby finds and
2 orders as follows:

3 1. This Court has jurisdiction over the claims of the Settlement Class Members
4 asserted in this proceeding and over all parties to the action.

5 2. The Court finds that one Class Member, Thomas Collins, has objected to the
6 Class Settlement (ECF # 66) and two Settlement Class Members (representing approximately
7 1.25% of the Settlement Class) have requested exclusion from the Class Settlement. The Court
8 has considered Mr. Collins’ objection and finds that it lacks merits, and therefore, it is
9 overruled.
10

11 3. This Court approves the proposed *cypres* recipient, Bay Area Legal Aid.

12 4. This Court finds that the applicable requirements of Federal Rule of Civil
13 Procedure 23 have been satisfied with respect to the Settlement Class and the proposed Class
14 Settlement. The Court hereby makes final its earlier certification of the proposed Settlement
15 Class.

16 5. The notice given to the Settlement Class Members fully and accurately informed
17 the Settlement Class Members of all material elements of the proposed Class Settlement and of
18 their opportunity to object to or comment thereon; was the best notice practicable under the
19 circumstances; was valid, due and sufficient notice to all Class Members; and complied fully
20 with the laws of the State of California, the Federal Rules of Civil Procedure, the United
21 States Constitution, due process and other applicable laws. The Settlement Agreement is
22 incorporated by reference into this Order and is hereby adopted as an Order of this Court.

23 6. The notice fairly and adequately described the Class Settlement and provided
24 Settlement Class Members adequate instructions and a variety of means to obtain additional
25 information. A full opportunity has been afforded to the Class Members to participate in this
26 hearing, and all Settlement Class Members and other persons wishing to be heard have been
27

1 heard. Accordingly, the Court determines that all Settlement Class Members (as defined in the
2 Class Settlement) who did not timely and properly execute a request for exclusion are bound by
3 this Order and Judgment.

4 7. The Court hereby finds the Class Settlement is fair, reasonable and adequate, and
5 in the best interests of the Settlement Class as a whole. The Court hereby grants final approval
6 to the Class Settlement.

7 8. Accordingly, the Court hereby directs that the Class Settlement be implemented
8 in accordance with the Settlement Agreement and the following terms and conditions.

9 9. It is hereby ordered that Defendant shall pay the Settlement Awards in the
10 amounts and pursuant to the terms set forth in the Settlement Agreement.

11 10. It is hereby ordered that the that Defendant shall pay the Incentive Awards of
12 \$2,500 to Plaintiff Barinder Gill and \$1,000 to opt-in plaintiff Christopher Walker, because the
13 Court finds these Incentive Awards are fair and reasonable for the work they provided to the
14 Class and Class Counsel.

15 11. With this final approval of the Class Settlement, it is hereby ordered that all
16 claims that are released as set forth in the Settlement Agreement are hereby barred.

17 12. The Court shall retain exclusive and continuing jurisdiction over this matter for
18 the purposes of supervising the implementation, enforcement, construction, administration, and
19 interpretation of the Settlement Agreement.
20

21
22 **IT IS SO ORDERED.**

23
24 Dated: September 21, 2018

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27 _____
JAMES DONATO
United States District Judge